

AGREEMENT  
BETWEEN  
THE DEPARTMENT OF ENERGY OF THE UNITED STATES OF AMERICA  
AND  
THE MINISTRY OF ENVIRONMENT OF THE REPUBLIC OF LATVIA  
CONCERNING  
COOPERATION IN THE AREA OF COUNTERING THE PROLIFERATION OF  
NUCLEAR MATERIALS AND TECHNOLOGIES

The Department of Energy of the United States of America (DOE) and the Ministry of Environment of the Republic of Latvia (MOE), hereinafter referred to jointly as the Parties,

Desiring to implement the Agreement between the Government of the United States of America and the Government of the Republic of Latvia Concerning Cooperation in the Area of the Prevention of Proliferation of Weapons of Mass Destruction of December 11, 2001 (hereinafter referred to as the Counterproliferation Agreement), as it pertains to countering the proliferation of weapons of mass destruction, and technology, materials, and expertise related to such weapons,

Have agreed as follows:

**ARTICLE I**

For purposes of this Agreement:

"Nuclear fuel" means fissile isotopes of uranium and all isotopes of plutonium contained in research and test reactor fuel assemblies, rods, control rods or sub-components thereof; research and reactor target assemblies or sub-components thereof; and bulk materials intended for research or test purposes. These materials may be irradiated or unirradiated.

**ARTICLE II**

1. In accordance with the terms of this Agreement, the DOE may provide assistance at no cost to the MOE or its designated implementing agents to assist the Government of the Republic of Latvia to return Soviet Union/Russian-supplied nuclear fuel stored in Latvia to the Russian Federation, and also to assist in the prevention of the possible proliferation of proliferation-attractive nuclear materials and technologies.

2. The MOE or its designated implementing agents shall use all materials (including supplies, equipment and instruments), training and services provided in accordance with this Agreement exclusively for the purpose of returning Soviet Union/Russian-supplied nuclear fuel to the Russian Federation, and for preventing the possible proliferation of proliferation-attractive nuclear materials and technologies.
3. This Agreement and all activities undertaken in accordance with this Agreement shall be subject to the provisions of the Counterproliferation Agreement. In the event of any discrepancies between this Agreement and the Counterproliferation Agreement, the provisions of the Counterproliferation Agreement shall prevail.

### ARTICLE III

1. Each Party to this Agreement shall have the right, upon written notification to the other Party, to delegate responsibilities for the implementation of this Agreement to other agencies, departments or units of its respective government.
2. Each Party to this Agreement shall have the right, upon written notification to the other Party, to designate technical liaison representatives for materials, equipment, training and services provided pursuant to this Agreement.

### ARTICLE IV

1. Pursuant to the terms of this Agreement, the DOE may provide to the MOE, or its designated implementing agents, assistance for the purpose of preventing the possible proliferation of proliferation-attractive nuclear materials and related nuclear technologies from the territory of Latvia. Such assistance may include, but is not limited to activities related to:
  - (a) the return of Soviet Union/Russian-supplied nuclear fuel from the IRT research reactor at Salaspils to the Russian Federation;
  - (b) security enhancement of the IRT reactor site and nuclear materials stored at the site;
  - (c) safe and secure storage of Latvia's nuclear materials, including improving methods of protection, control, and accountability of nuclear materials to reduce the risk of theft or possible diversion of nuclear materials stored at premises on the territory of Latvia.

2. The terms of this Agreement shall cover:
  - (a) the provision of technical assistance, safety engineering services, planning and project management support pertaining to the implementation of any assistance provided under this Agreement; and
  - (b) the provision of procurement and/or acquisition services, selection of subcontractors, contract and project management services, and the technical and administrative oversight of subcontractor performance during the preparation for and implementation of work under this Agreement.
3. The MOE or its designated implementing agents shall make all fresh nuclear fuel containing uranium enriched to 20% or more in the isotope U-235 available for return to the Russian Federation before any spent fuel is returned.
4. Conditions of assistance provided under this Agreement shall be defined by separate contracts or arrangements between the DOE and the MOE or their designated implementing agents. In case of any inconsistency between these contracts or arrangements and this Agreement, the provisions of this Agreement shall prevail.
5. Pursuant to the terms of this Agreement, the DOE may, at its discretion, provide the MOE or its designated implementing agents with other types of assistance subject to the written agreement of both Parties.

#### ARTICLE V

1. The MOE or its designated implementing agents shall assist the DOE or its designated implementing agents during implementation of the agreed assistance.
2. The MOE or its designated implementing agents shall coordinate with other appropriate Government of the Republic of Latvia ministries, agencies, and organizations to ensure that materials, including supplies, equipment and instruments, provided to the Government of the Republic of Latvia under this Agreement are afforded priority processing to allow prompt delivery to their ultimate destination within Latvia. The MOE or its designated implementing agents shall coordinate with the appropriate Government of the Republic of Latvia ministries, agencies, and organizations to ensure that appropriate security measures are provided for United States government personnel, contractors and materials, including supplies, equipment, and instruments, at those facilities associated with work under this Agreement.

3. The MOE or its designated implementing agents shall facilitate the examination by the appropriate ministries, agencies, and organizations of the Government of the Republic of Latvia of all materials, including supplies, equipment and instruments received pursuant to this Agreement and provide confirmation to the DOE of their acceptability within ten days of receipt of the results of such examinations. The terms and conditions for repair or replacement of non-complying materials, including supplies, equipment and instruments, will be set forth in the contract(s) under which materials, including supplies, equipment and instruments, are provided under this Agreement.

#### ARTICLE VI

In addition to the audit and examination rights set forth in Article XII of the Counterproliferation Agreement, DOE representatives shall have the right to monitor the implementation of terms of contracts and the progress of work under this Agreement, at facilities on the territory of Latvia.

#### ARTICLE VII

As appropriate, the Parties may enter into implementing arrangements to carry out the provisions of this Agreement. In case of any inconsistency between this Agreement and any such arrangements, the provisions of this Agreement shall prevail.

#### ARTICLE VIII

This Agreement shall enter into force upon signature and shall remain in force for the duration of the Counterproliferation Agreement. This Agreement may be amended or extended by the written agreement of the Parties and may be terminated by either Party upon at least 90 days, prior written notification to the other Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at Washington, this twenty-fifth day of April, 2005, in duplicate in the English and Latvian languages, each text being equally authentic.

FOR THE DEPARTMENT OF ENERGY  
OF THE UNITED STATES OF AMERICA:

FOR THE MINISTRY OF ENVIRONMENT  
OF THE REPUBLIC OF LATVIA:

*Samuel W. Bedman*

*Ilkka*